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CAREER SERVICE

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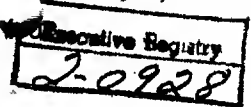
COMMENTS RE PROGRAM FOR
ESTABLISHMENT OF CAREER
CORPS FROM ALL DIVISIONS

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29 August 1951

MEMORANDUM FOR: DEPUTY DIRECTOR (ADMINISTRATION)

FROM: Acting General Counsel

SUBJECT: A Program for the Establishment of A Career Corps for the Central Intelligence Agency

1. There are submitted herewith comments of this office on the above subject. These comments deal with the legal aspects of Appendix Q (pp. 69-71) which is concerned with career benefits and security. Our comments below are keyed to specific paragraph numbers.

I. The comment that in order to grant appropriate CIA personnel time and one-half service credit against retirement would require the Agency to consummate an agreement with the Civil Service Commission is not accurate at this time. At one point it had been believed possible that existing legislation applicable to investigative and law enforcement personnel of various agencies, such as Treasury and FBI, could be interpreted to cover certain classes of employees of CIA during periods of employment under specified conditions. This office had indicated such a position probably could not be supported on purely legal grounds. Subsequently, Mr. Warren Irons, Chief, Retirement Division, Civil Service Commission, has specifically advised the Acting Personnel Director at the time, Mr. George Meloon, and the undersigned that legislation would be required in order to apply the benefits of the law in question to CIA employees.

V. At one point serious consideration was given to include in appropriate CIA legislation (P. L. 110 as passed) the authority for the Director to apply certain medical and disability benefits to dependents of CIA employees. Such language was included in the proposed bill. In discussions with the Bureau of the Budget prior to debate on the bill in the Congress, the provision relating to dependents was deleted on the grounds that no precedent existed for any

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such benefits. In view of that history it is believed that any action on this matter should be scrutinized carefully, whether the action be by incorporation in proposed legislation or by the Director approving such benefits in specific cases on his broad authorities.

VI. It is not entirely clear what action is desired in the statement that physical disability benefits conforming to Veterans' Administration standards should be extended to Agency employees forced to retire because of physical disability suffered during the period of employment. Generally the monetary benefits available in disability cases are somewhat more liberal under the Federal Employees' Compensation Act where it can be established that disability was incurred while in performance of duties. In some instances there may be involved an election between the benefits under the Compensation Act and those under the Civil Service Retirement Act. If the action indicated is intended to mean a relaxation of standards under which benefits can be granted, there would be for consideration the steadily expanding scope of coverage by virtue of interpretation of the Federal Employees' Compensation Act. The newest version of this Act was approved in October 1949 and affords the Bureau far more latitude in determining those cases which could be considered as illness or injury incurred incident to service. It is believed that over a period of years increasingly more liberal interpretations of that Act will be pronounced by the Bureau. ①

2. The above comments are furnished to indicate the necessity of moving very carefully in the field of securing greater statutory benefits to CIA employees. (In some instances legislation could possibly result in undesirable restrictions being placed on CIA. ①)

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Notes by (not formally transmitted)

SUBJECT: A Program for the Establishment of A Career Corps for the Central Intelligence Agency

These comments are somewhat general in nature and are offered as a suggestion for consideration of those who will refine the wording of the proposed program and for possible consideration by those who will be required to administer the program.

1. Appendix I deals with the career management program and the identification of a career corps. It is indicated on p. 46 that the program should be restricted to the GS 9-13 level of nonclerical personnel. There then follows discussion of the rationale for the selection of the GS-9 level as the lower limit in the program. There is no discussion of the rationale for the selection of the upper level. As of this time and for a number of years in the immediate future, it might well be worth considering all grades above GS-9 level with no restriction as to a maximum level. It is thought possible that no such omission was intended, but to this reader there is no statement in the paper that employees at GS-14 and above will be considered for or placed in the career corps. (15)

2. It is stated in the paper that many phases of this program are essentially the responsibility of Personnel. This statement has particular reference to the career management phase of the program. There does not appear to have been included in the paper a recognition and grasp of the peculiar problem relating to personnel of the covert offices and their overseas programs. By the very nature of their duties, operations officers concerned with clandestine activities and those responsible for such operations officers, to a greater or lesser degree, develop the ability to deal with their operational tasks with an attitude and background which is foreign to the average American mind. The lack of understanding of the problems which these persons are confronted with quite often develops a schism between them and the administrative support elements of the Agency. It is true that this problem is a two-way street, but inevitably attitudes or viewpoints of individuals which reflect on office relationships properly become the concern of Agency officials responsible for over-all administration.

3. A long-range program devoted to the study of the above problem and its elimination would appear essential to a well administered career management program. A specific basis for such program might well consider a method for concrete recognition of status in the career corps of CIA. Such a method, or the need for such concrete recognition, does not appear in the proposed program. It is well known

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that association with CIA for the average employee results in anonymity. In other professional fields, as well as in personnel field in general, matters of recognition, status and position have been accorded considerable value.

4. The paper as now written appears to lay primary emphasis on the development of potential career corps candidates through intensive recruitment and training. It would seem that similar emphasis could well be afforded the matter of utilization of present CIA employees. In emphasizing this phase it might well be worth considering those trained intelligence people whom CIA is constantly losing for reasons officially unknown to the Agency. It is believed that the value of utilizing the present trained body of intelligence personnel, together with personnel in supporting elements, in the establishment of a career corps is obvious. Nevertheless, this fact does not appear to have been afforded the same degree of attention that the study has given the development of candidates for future needs.

(15)

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